

**MINUTES  
CITY PLANNING COMMISSION  
FEBRUARY 14, 2006**

**1. CALL TO ORDER** – Schoeppner called the meeting to order at 7:00 p.m.

**2. ROLL CALL**

Members Present: Bragg, Carlon, Cleaveland, Gronstal, Hartman, Johns, Milford, Ozaydin, Schoeppner and White

Absent: VanHouten

Staff: Brown, Malmquist and Wade

**3. ADOPTION OF AGENDA**

Motion by Milford, second by Bragg to adopt the agenda as printed. Motion carried by unanimous voice vote.

**4. APPROVAL – MINUTES OF THE JANUARY 10, 2006 MEETING**

Motion by Carlon, second by Bragg to approve the minutes as written. Motion carried by unanimous voice vote.

**5. PROOF OF PUBLICATION** – Brown

**6. REVIEW OF MEETING PROCEDURES** – Schoeppner

**7. PUBLIC HEARINGS**

A. CASE #PR-06-001: Public hearing on the request of Broadmoor Development Company to approve the planned residential development plan for a 184-unit complex to be known as River Park Apartments located on Lots 1 and 2, Dodge Park Subdivision. Location: South of Interstate right-of-way, adjacent to Dodge Riverside Golf Course.

Bob Stratton, Broadmoor Development Company, 809 North 96<sup>th</sup> Street, Omaha, NE 68114, gave a brief description of the project. He said that Broadmoor has had developments in Council Bluffs since 1987. He noted that this site is challenging for a number of utility reasons and because of the Iowa Department of Transportation's future right-of-way needs. The development is designed to maximize views and to achieve a density while being sensitive to utility and right-of-way needs.

Schoeppner asked if the buildings would look similar to the adjacent Broadmoor project. Stratton said they will be similar but will have a 'newer' look and will feature attached garages.

Carlon asked if Stratton understood the need to move the pool decking out of the utility easement and asked why the garages needed to be moved. Stratton said there would not be a problem with moving the pool. Brown said the garages had already been moved on the site plan that they were reviewing and that the remaining garages referenced in Public Works Department comments would not need to be moved, because the temporary easement referred to would be released prior to any building construction in the area. The temporary easement is necessary for grading the public street.

Milford noted that a pool and sand volleyball court were shown on the plan. He asked if a playground or other youth recreation areas were planned. Stratton said not at this time. He said that with the mix of units that typically there are not many small children in other developments with a similar mix of units.

**PLANNING COMMISSION ACTION**

Motion by Cleaveland, second by Gronstal, to recommend approval of the planned residential development plan for a 184-unit complex to be known as River Park Apartments located on Lots 1 and 2, Dodge Park Subdivision, subject to the conditions listed in the staff report.

VOTE: AYE – Bragg, Carlon, Cleaveland, Gronstal, Hartman, Johns, Milford, Ozaydin, Schoeppner and White. NAY – None. ABSTAIN –None. ABSENT -VanHouten. Motion carried.

B. CASE #SUB-06-004 and CASE #ZC-06-002: Combined public hearing on the request of New Horizon Presbyterian Church for rezoning and preliminary plan approval of a seven lot subdivision to be known as New Horizon, located on 94.7 acres in part of the W½ of Section 28, part of Lots 1, 2, 3 and 6 of Auditor's Subdivision of the SE¼ SE¼, part of the SE¼ NE¼, part of the NE¼ SE¼ all in Section 29 and part of the NE¼ NE¼ of Section 32, all in Township 75 North, Range 43 West of the fifth principal meridian. Currently zoned A-2/Parks, Estates and Agricultural, the applicant has requested rezoning Lot 1 to C-2/Commercial, Lots 2 and 3 to R-3/Low Density Multi-family Residential and appending a Planned Residential Overlay to Lot 3 for a future senior adult living community and Lot 4 to R-1/Single Family Residential District. Location: Between McPherson Avenue and College Road, between Interstate 80 right-of-way and Mosquito Creek.

Milford announced he would abstain.

Cal Parrott, representing New Horizon Presbyterian Church said that Grace Presbyterian Church had purchased the land in the 1990s to build a new church. He said that with completion of the Valley View Drive extension they intend to move forward with the church and to develop the remainder into single family residences and an assisted living facility. Parrott said that the assisted living facility would be developed jointly with Presbyterian Homes of Minneapolis and would provide four levels of care. Parrott detailed the intended zoning and use for each lot identified on the preliminary plan.

Carlon asked when construction of the senior living community would begin. Parrott said about a year after the church is constructed. He said the agency is a not-for-profit and that the church will maintain 50% ownership of the project. Parrott said that there would be 142 independent apartments, 10-15 duplexes and one large unit for the assisted and dementia areas. Cleaveland asked why Lot 4 is proposed to be rezoned R-1. Parrott said that conceptually the lot is intended to be further subdivided into 66-70 single family lots for sale. Malmquist said the layout was removed from the preliminary plan because it is not being considered at this time.

Lou Ann Gibler, 1621 College Road, Council Bluffs, IA 51503, said that she owns the house surrounded by the proposed development. Malmquist said that her property is not included in the rezoning. Gibler stated concerns about the impact the proposed grading would have on her property. Parrott explained that the final grading will result in net grading and that it cannot impact her property. Gibler was concerned that dirt would be moved from the top of the hillside onto the road to the lower portion of the property. Parrott said there was no plan to move the dirt onto the public right-of-way.

Hartman asked why the Gibler property was not included. Gibler asked if there was a benefit to having the property rezoned. Malmquist said that the use is permitted in either zoning district. She said that the minimum lot size in an A-2 district is three acres. Malmquist said that if she is interested in rezoning her property she could contact the Community Development Department office for application information.

Malmquist stated that the reference to 'I-2' in the staff report was an error.

#### PLANNING COMMISSION ACTION

Motion by Hartman, second by Cleaveland, to recommend:

1. Rezoning approximately 66 acres in the NE¼ NW¼ of Section 14-74-44 and the SW¼ SW¼ of Section 11-74-44 from A-2/Parks, Estates and Agricultural as follows: Lot 1 – 2 acres – C-2 Commercial, Lot 2 - 14.31 acres – R-3/Low Density Multi-Family Residential, Lot 3 - 17.4 acres – R-3/Low Density Multi-family Residential with a Planned Residential Overlay, Lot 4 – 32.59 acres – R-1/Single Family Residential, Lots 5, 6, and 7 will not be rezoned. A. The proposed rezoning is consistent with the future land use in the Comprehensive Plan. B. The rezoning shall become effective with final plat approval for the subdivision.
2. Approve the preliminary plan for a subdivision to be known as New Horizon, as shown on the attachment, subject to the exceptions and conditions noted in the staff report.

VOTE: AYE – Bragg, Carlon, Cleaveland, Gronstal, Hartman, Johns, Ozaydin, Schoeppner and White. NAY – None. ABSTAIN-Milford. ABSENT -VanHouten. Motion carried.

C. CASE #SUB-06-005: Public hearing on the request of ECM, Inc. for preliminary approval for a seven lot commercial subdivision, a replat of Lot 1, Bluffs Vision Subdivision. Location: South of 23<sup>rd</sup> Avenue and west of Mid-America Drive (South 33<sup>rd</sup> Street).

Brian Leaders, The Schemmer Associates, 928 Valley View Drive, Council Bluffs, IA 51503, explained the seven lot commercial subdivision located near Doll Distributing and Bass Pro Shops. He said the applicant agrees to the comments and conditions. The right-of-way width was not the same, but that the pavement width would match 24<sup>th</sup> Avenue.

Carlon asked if there was a revised plat. Leaders said he believed they had the revision. He said the curves were checked to assure an adequate turning radius for emergency vehicles and semi-trailers. The right-of-way was not labeled on the original plan.

Carlon asked if Lots 1 and 2 had been filled in the past. Leaders said they had been filled one foot above the floodplain at the time the treatment plant was removed.

Malmquist said the IDOT conversation about right-of-way needs at the location were on-going. She said there may be impacts to the north side or on the southwest side.

#### PLANNING COMMISSION ACTION

Motion by Carlon, second by Milford, to recommend approval of the preliminary plan for a seven lot commercial subdivision, a replat of Lot 1, Bluffs Vision Subdivision, subject to the conditions listed in the staff report.

VOTE: AYE – Bragg, Carlon, Cleaveland, Gronstal, Hartman, Johns, Milford, Ozaydin, Schoeppner and White. NAY – None. ABSTAIN- None. ABSENT -VanHouten. Motion carried.

CASE #URN-06-002: Public hearing on the request of the City of Council Bluffs to create the Old Airport Urban Renewal Area and adopt the required plan for the land described as: Beginning at the intersection of the South right-of-way line of Highway 275/92 and the Westerly right-of-way line of Interstate 29; thence westerly along said South right-of-way line to the West right-of-way line of the South Expressway (Highway 192); thence north along said West right-of-way line to the Northerly right-of-way line of 35<sup>th</sup> Avenue; thence easterly, north and east along said Northerly right-of-way line to the West ¼ Corner of Section 7-74-43; thence continuing east along the North line of the SW¼ of said Section 7-74-43 to the Westerly right-of-way line of Interstate 29; thence southeasterly along said Westerly line to the south right-of-way line of Highway 275/92 and the Point of Beginning.

Brown said the proposed urban renewal area and associated plan would allow for the City's participation with the development of major commercial center on a portion of the property. She said that extension of sanitary sewer as well as assistance in acquiring property needed for storm water detention and participation with installation of streets would all be part of the City's participation.

Milford said that he believed much fill would be needed for the site. Mark Andersen agreed. Milford said that he hoped fill would not be removed from the Loess Hills determined to be sensitive areas. Andersen said that preliminary plans were in place to utilize excess material from Iowa Western Community College.

#### 9. OTHER BUSINESS

A. City Council update - Malmquist said that proposed rezoning in Chicory Ridge was passed to third consideration. She said that two final plats for the Seven at Fox Run Landing and Roth's Hillside Second Addition were approved.

B. Other Items of Interest- None.

10. ADJOURNMENT – Schoeppner adjourned the meeting at 7:45 p.m.